

STATE OF NORTH CAROLINA  
WAKE COUNTY

FILED

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

2019 OCT 10 PM 2:49

19 CVS 012667

WAKE CO., C.S.C.

REBECCA HARPER, *et al.*

*Plaintiffs,*

v.

Representative DAVID R. LEWIS,  
in his official capacity as Senior  
Chairman of the House Standing  
Committee on Redistricting, *et al.*,  
*Defendants.*

CASE MANAGEMENT ORDER

THIS MATTER comes before the undersigned Three-Judge Panel upon its own motion for the purposes of setting out an orderly process to be followed for the submission of filed papers to the Court and requests for hearings.

This Case Management Order ("Order") establishes certain procedures to be used and sets deadlines for various matters likely to arise through trial. It shall remain in effect until rescinded by the Court or superseded by subsequent orders. The North Carolina Rules of Civil Procedure; the General Rules of Practice for the Superior and District Courts; and the Local Rules of Civil Superior Court for Wake County shall govern all matters not expressly covered by this Order.

This Order, as well as any subsequent case management orders and briefing schedules entered by the Court, shall bind all parties to this action and all parties added hereafter unless the Court orders to the contrary.

The Court may amend or supplement this Order as deemed appropriate by the Court upon its own motion or that of any party.

For the purpose of efficient management of this matter, the Court orders the following:

1. Electronic copies of all documents filed with the Clerk of Court shall be promptly transmitted by email to:
  - (a) 10<sup>th</sup> Judicial District Trial Court Administrator Kellie Myers (Kellie.Z.Myers@nccourts.org), and
  - (b) N.C. Judicial Fellow Adam Steele (Adam.H.Steele@nccourts.org).
2. The subject line of the transmittal email shall state a short caption of the case, the file number, and the name of the document transmitted (e.g. Harper v. Lewis (19 CVS 12667) – Plaintiffs’ Motion for Preliminary Injunction).
3. If the document being transmitted to the Court as per paragraph 1 above is a motion, the body of the email shall state, if applicable:
  - (a) Whether all parties consent to the entry of an order granting the requested relief;
  - (b) Whether the movant is requesting a hearing;
  - (c) Whether the movant has conferred with opposing counsel for purposes of recommending a proposed briefing schedule and hearing dates and, if so, those recommendations; and
  - (d) Such other matters that ought to be brought to the Court’s attention regarding the scheduling and disposition of the motion.
4. If the parties have not conferred about a motion being transmitted to the Court, all opposing parties, through counsel, shall promptly upon receipt of the transmitting email, respond by email to the persons listed in paragraph 1 above with the following information:
  - (a) Whether the responding party consents to the entry of an order granting the relief requested by the movant;

- (b) Whether the responding party is requesting a hearing;
  - (c) Whether the responding party intends to submit a written reply or memorandum, and if so, the period of time the responding party wishes to be allowed for its reply; and
  - (d) Such other matters that ought to be brought to the Court's attention regarding the scheduling and disposition of the motion.
- 5. All counsel shall be cc'd on any email correspondence required by this Order.
- 6. In instances where a hearing before the three-judge panel is required, upon receipt of the foregoing information, the Trial Court Administrator shall endeavor to arrange a hearing. Counsel should be mindful of the fact that facilities and court personnel to conduct three-judge panel hearings are limited, and coordinating the schedules of the members of the three-judge panel, in light of their already existing dockets, can be difficult. Hence, counsel should attempt to give ample notice of the need for a hearing and, where possible, bundle all pending matters for a single hearing date.
- 7. Any document required to be served on a party (other than a summons and complaint or third-party complaint) may be served on parties via e-mail. Briefs or memoranda provided to the Court may not be filed with the Clerk of Court unless ordered by the Court, pursuant to NCRCP Rule 5. Any changes to parties' or counsels' e-mail addresses must be made in writing to all parties/counsel and to the Court as per paragraph 1 above.
- 8. Counsel shall transmit to the Court any document it intends to present at a hearing at least five (5) business days before the date of such hearing, unless otherwise ordered. The document shall be transmitted to the Court as per paragraph 1 above.

9. Proposed orders, when requested by the Court, shall be transmitted to the Court as per paragraph 1 above, in Microsoft Word format.
  10. Counsel should be familiar with *98 Formal Ethics Opinion 13* issued by the N.C. Bar in July 1999, entitled *Written Communications with a Judge or Judicial Official*, and communications required by this Order should comport therewith.
- SO ORDERED, this the 10th day of October, 2019.

**/s/ Paul C. Ridgeway**

---

Paul C. Ridgeway, Superior Court Judge

**/s/ Joseph N. Crosswhite**

---

Joseph N. Crosswhite, Superior Court Judge

**/s/ Alma L. Hinton**

---

Alma L. Hinton, Superior Court Judge

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was served upon the parties by emailing a copy thereof to the address below, in accordance with the October 10, 2019 Case Management Order:

**Burton Craige**  
**Narendra K. Ghosh**  
**Paul E. Smith**  
PATTERSON HARKAVY LLP  
bcraige@pathlaw.com  
nghosh@pathlaw.com  
psmith@pathlaw.com  
*Counsel for Plaintiffs*

**R. Stanton Jones\***  
**Elisabeth S. Theodore\***  
**Daniel F. Jacobson\***  
**William Perdue\***  
**Sara Murphy D'Amico\***  
**Graham White\***  
ARNOLD & PORTER KAYE SCHOLER LLP  
Stanton.jones@arnoldporter.com  
Elisabeth.theodore@arnoldporter.com  
Daniel.jacobson@arnoldporter.com  
William.Perdue@arnoldporter.com  
Sara.D'Amico@arnoldporter.com  
Graham.White@arnoldporter.com  
*Counsel for Plaintiffs*

**Phillip J. Strach**  
**Thomas A. Farr**  
**Michael McKnight**  
**Alyssa Riggins**  
OGLETREE DEAKINS NASH SMOAK & STEWART PC  
Phil.strach@ogletree.com  
Thomas.farr@ogletree.com  
Michael.mcknight@ogletree.com  
Alyssa.riggins@ogletree.com  
*Counsel for Legislative Defendants*

\*Admitted Pro Hac Vice



**Amar Majmundar**

**Stephanie A. Brennan**

**Paul M. Cox**

NORTH CAROLINA DEPARTMENT OF JUSTICE

amajmundar@ncdoj.gov

sbrennan@ncdoj.gov

pcox@ncdoj.gov

*Counsel for the State Board of Elections and members of the State Board of Elections*

**Kieran J. Shanahan**

**John E. Branch, III**

**Nathaniel J. Pencook**

**Andrew D. Brown**

SHANAHAN LAW GROUP PLLC

kieran@shanahanlawgroup.com

jbranch@shanahanlawgroup.com

npencook@shanahanlawgroup.com

abrown@shanahanlawgroup.com

*Counsel for Intervenor-Applicants*

This the 10<sup>th</sup> day of October, 2019.



---

Kellie Z. Myers

Trial Court Administrator – 10<sup>th</sup> Judicial District

kellie.z.myers@nccourts.org